

Subject: Information Report – Application for Zoning By-law Amendment – 1084 Quaker Road

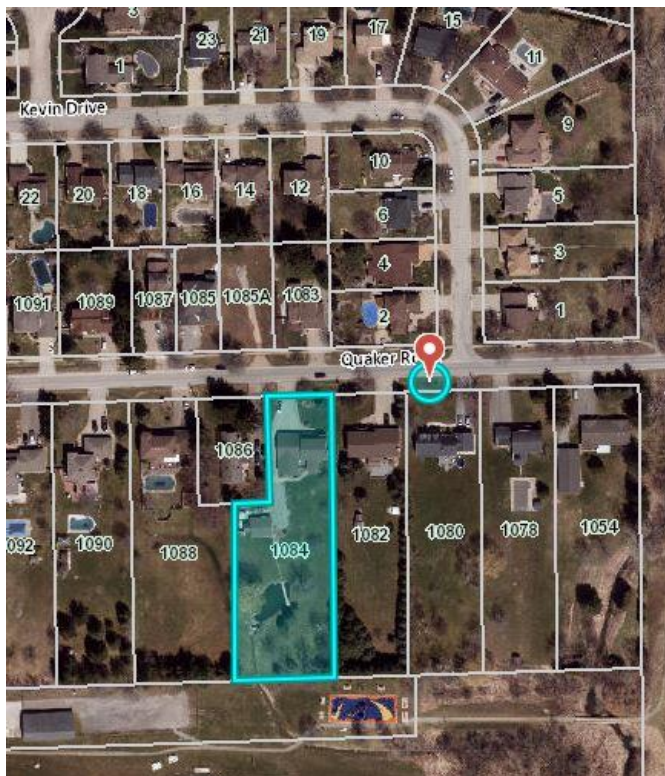
Recommendation:

THAT Committee receive Report #2020-35 for information as it pertains to 1084 Quaker Road (File no. AM-01-20) and recommend to Council:

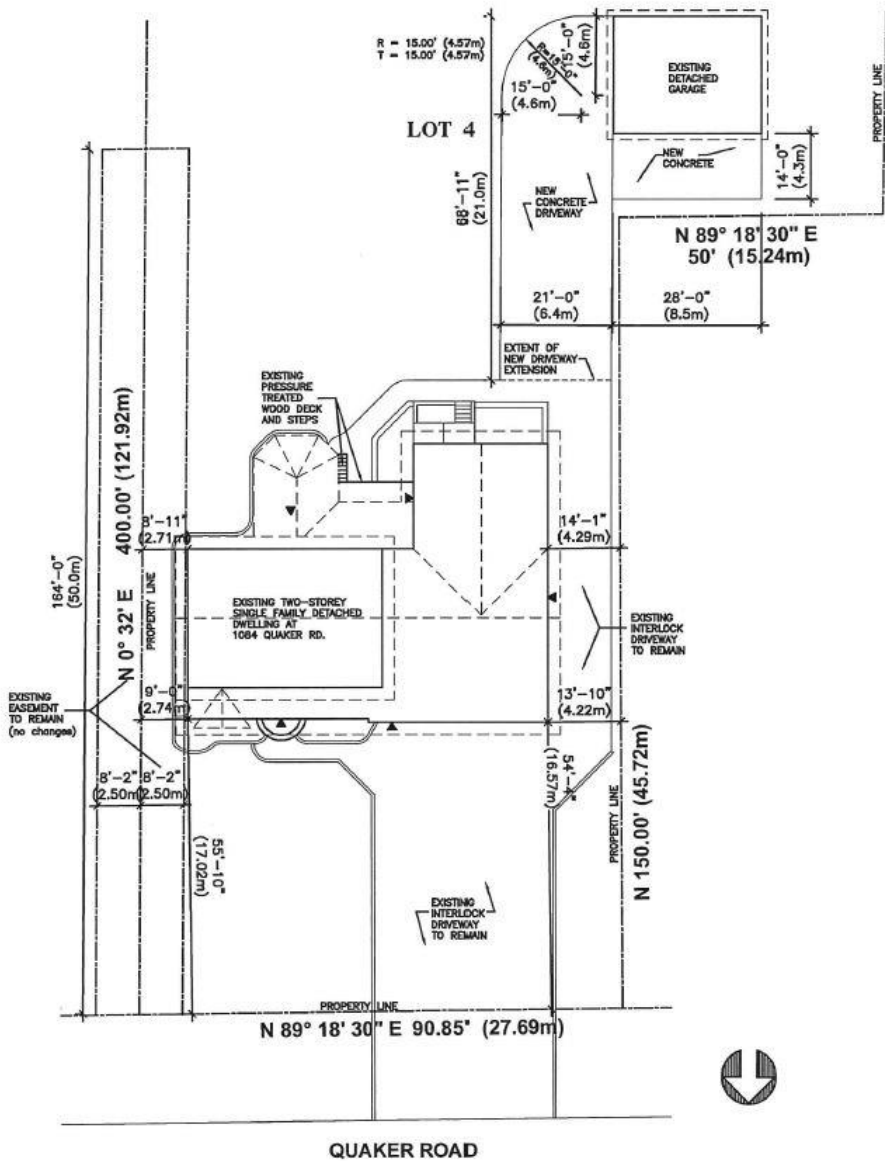
THAT Council direct Planning staff to prepare the Recommendation Report on this application for consideration.

Background:

The subject property is located on the south side of Quaker Road, west of Kevin Drive (see aerial image below).



The applicant seeks approval to rezone the property from R1-26 (Residential One) to a site specific R1 zone to permit the use of the property for a duplex dwelling. The requested zoning change will recognize an existing dwelling unit within the basement of the existing single detached dwelling. No additions are proposed to the existing dwelling or location of structures on the property as a result of the proposed zoning change (see existing site layout below).



Analysis:

Planning Act

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, the decision of planning authorities "shall be consistent with the

policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the Act allows for consideration of amendments to the zoning by-law.

Provincial Policy Statement, 2014

The subject parcel is designated as being within a Settlement Area according to the Provincial Policy Statement, 2014 (PPS).

The PPS provides policy direction on matters of provincial interest related to land use planning and development in Ontario.

It is recognized that the province’s long-term prosperity, environmental health, and social well-being depends on wisely managing change. Efficient land use and development patterns will achieve healthy, livable, and resilient communities that will protect the environment and public health and safety, and will facilitate economic growth.

Policy 1.1.1 outlines how healthy, livable and safe communities are sustained.

Settlement Areas shall be the focus of growth, and new development, in designated growth areas, should have a compact form and a mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities (Policies 1.1.3.1, 1.1.3.2 (a), and 1.1.3.6). Development should provide for an appropriate range and mix of housing types and densities to minimize the cost of housing, and facilitate compact form; provide for efficient use of land, infrastructure and public service facilities; support the use of active transportation; while maintaining appropriate levels of public health and safety (Policy 1.4.3). Healthy, livable, active communities meet the needs of pedestrians by fostering and facilitating active transportation and ensuring community connectivity (Policy 1.5.1). In addition, development shall efficiently use and optimize existing municipal sewage and water services; and, stormwater management shall promote best practices and low impact development (Policies 1.6.6.1 and 1.6.6.7).

Greenbelt Plan, 2017

The subject parcel is located in an identified settlement area that is outside of the Greenbelt Plan Area; therefore, the policies of the Greenbelt Plan do not apply.

Niagara Escarpment Plan, 2017

The subject parcel is not located in the Niagara Escarpment Plan Area; therefore, the Niagara Escarpment Plan policies do not apply.

Growth Plan for the Greater Golden Horseshoe, 2019

The subject parcel is identified as being within a Delineated Built-up Area according to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan policies aim to build stronger, prosperous communities by directing growth to built-up areas, promoting transit-supportive densities and a healthy mix of residential and employment land uses, preserving employment areas, planning for community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

Policy 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

Policy 2.2.2.3(b) encourages intensification generally throughout the built-up area and investment in services that will support intensification.

Regional Official Plan, consolidated August 2015

The subject land is located within the Urban Area Boundary of the Town of Pelham and is designated Built-up Area in the Regional Official Plan. Built-up Areas will be the focus of residential and employment intensification and redevelopment within the Region over the long term (Policy 4.G.8.1). The minimum residential intensification rate for the Town of Pelham is 15% of total annual development (Policy 4.C.4.1).

Pelham Official Plan (2014)

The property is located within the Urban Settlement area of Fonthill and is designated Urban Living Area/Built Boundary in the Town of Pelham Official Plan. Permitted uses in the Urban Living Area are single detached residential dwelling units, accessory apartments in single detached dwellings, semi-detached, townhouse, multiple and apartment dwellings, home occupations, bed and breakfast establishments in single detached dwellings, private home day care and complementary uses such as residential care facilities, daycare centres, institutional uses and convenience commercial uses. Planning staff note that townhouses are supported in the Urban Living Area.

Further, Policy B1.1.3 (c) requires intensification and redevelopment proposals to achieve a unit density that is in keeping with the character of the density of the

neighbourhood.

Policy B.1.13 requires the Town to accommodate at least 15% of projected housing growth within the existing built boundaries of Fonthill and Fenwick. Policy B1.1.3 (e) indicates that the creation of accessory apartments and in-law suites within residential neighbourhoods is considered to be an appropriate form of residential intensification.

Policy B1.1.4 permits accessory apartments in single detached dwellings in the Urban Living Area designation provided the apartment will comply with the Ontario Building and Fire Codes as well as the Zoning By-law; adequate parking is available on the lot for both dwelling units; and the second dwelling unit is designed and located in the interest of maintaining the character of a detached dwelling as viewed from the streetscape.

Pelham Zoning By-law Number 1136 (1987)

The subject land is currently zoned 'Residential 1' (R1-26), the permitted uses include:

- One single detached dwelling
- Accessory buildings
- Home occupations

The R1-26 zone requires a minimum rear yard setback of 61 metres.

The requested zoning by-law amendment would create a site specific R1 zone that permits a duplex dwelling in addition to the uses permitted in the R1 zone. Section 5 of the Zoning By-law defines a duplex as "a dwelling other than a converted dwelling, which is divided horizontally into two dwelling units, each of which has an independent entrance either directly from a yard or from a common vestibule."

Financial Considerations:

There are no financial costs associated with the requested Zoning By-law amendment. The property owner has provided an application fee which is intended to cover staff time to process, review and comment on the application.

Alternatives Reviewed:

There are no alternatives at this time as this report is provided for information purposes only.

Strategic Plan Relationship: Strong Organization

Council is obligated to make a decision with respect to the application by the Planning Act, R.S.O. 1990, C.P.13. While consideration of this request is not a specific action in the Strategic Plan, diversification of ownership options and housing types within the urban area of the Town can assist in building a stronger community.

Consultation:

Agencies were circulated for review and comment on the application prior to scheduling the public meeting. The following comments (Appendix A) were received:

Enbridge Gas Inc. "No objection."

Niagara Peninsula Energy "Property is outside of the service area."

Canada Post Corporation "No comments or conditions."

Building Division "A building permit will be required for the basement dwelling unit. Proper drawings will be required in accordance with the *Ontario Building Code*."

A notice of public meeting was circulated to property owners within 120 metres of the property and posted to the Town's website on February 14, 2020. Notice signs were posted to the property on February 19, 2020. The following public comments (Appendix B) have been received as of the date of writing of this report:

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- Opposed to the application.
- Concerned about neighbourhood property values, parking, traffic, garbage.
- Wants only single detached dwellings in the existing neighbourhood.

Other Pertinent Reports/Attachments:

Appendix A Agency Comments

Appendix B Public Comments

Prepared and Recommended by:

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